

MOTIONS FOR NEW TRIAL — Ten-day time limit for motions for new trial is jurisdictional — Revised 10/2009

Rule 24.1(b), Ariz. R. Crim. P., requires the defendant to make any motion for a new trial no later than 10 days after the verdict has been rendered. The Comment to Rule 24.1 states that the time limit is jurisdictional; a trial court has no power to grant a new trial if the defendant does not move for a new trial within that ten-day time period. See also, *State v. Hickie*, 133 Ariz. 234, 239, 650 P.2d 1216, 1221 (1982); *State v. Wagstaff*, 161 Ariz. 66, 70, 775 P.2d 1130, 1134 (App. 1988); *Maule v. Superior Court*, 142 Ariz. 512, 515, 690 P.2d 813, 816 (App.1984).